Reg. No. M. 1175

The Mysore Gazette

(PUBLISHED BY AUTHORITY)

Vol. 83] BANGALORE, THURSDAY, JUNE 10, 1948 [No. 24

PART IV

Legislative Measures and Rules thereunder.

NOTIFICATIONS.

Notification No. A.F. 5458—Ft. 49-47-5, dated 2nd June 1948.

The Movement of Timber (Control) Order, 1948.

In exercise of the powers conferred by Rule 81 of the Defence of India Rules as applied to Mysore and continued by the Supplies, Services and Miscellaneous Provisions (Temporary Powers) Act, 1947 (Act XX of 1947), the Government of His Highness the Maharaja are pleased to make the following Order and to direct with reference to Rule 119 of the said rules that notice of the said Order be given by publication in the official Gazette and the issue of a Press Note summarising and explaining its provisions.

Short title, extent and commencement.

1. (1) This Order may be called the "Movement of Timber (Control) Order, 1948."

(2) It extends to the areas mentioned in the schedule appended to this Order.

(3) It shall come into force from 1st July 1948.

Definitions.

2. Unless there is anything repugnant in the subject or context, expressions used in this Order and defined in the Mysore Forest Act, 1900, shall bear the meanings assigned to them in the said Act, provided, however, that the term "timber" will include sawn timber also.

Prohibition of movement of timber.

3. No person shall, except with the written permission of the District Forest Officer concerned transport export, import or therwise move any timber within any of the areas to which this order applies or to any place outside such area.

Provided that this clause shall not apply to fuel intended for domestic consumption where it does not exceed one ton ;

Provided further that this clause shall not also apply to timber not exceeding ten c.ft. meant for *bona fide* domestic and agricultural purposes.

Declaration of stocks.

4. Every person who is in possession of a quantity of timber in excess of 10 c.ft. at the commencement of this Order shall, within ten days therefrom, furnish to the District Forest Officer concerned the particulars required of the stock possessed by him.

Person coming into possession to give declaration.

5. Any person who comes into possession of any timber hereafter mentioned (teak, rosewood, honne, nandi, hebbahalasu) shall, within twenty-four hours of coming into such possession, furnish to the District Officer concerned, the particulars required of the stock of which and the manner in which he has come into such possession.

Prohibition of saw-pits.

6. No person shall establish or permit the establishment of any saw-pit or saw-mill or any other contrivance for sawing or cutting up timber without the written permission of the District Forest Officer concerned ;

Provided that where any saw-pit or saw-mill or any other contrivance for sawing or cutting up timber has been in existence at the commencement of this Order, the owner or person in charge of such pit or mill or contrivance, as the case may be, shall, within ten days of the commencement of this Order, furnish the particulars required of the pit mill or contrivance including the period for which it has been in existence and such other particulars as the District Forest Officer may require.

Power to close existing saw-pits.

7. The District Forest Officer concerned may, if in his opinion, it is necessary to do so by order in writing, issue directions to the owner or is agent in charge of a saw pit or saw mill or to both of them, as regards the working hours, the form of accounts to be maintained and may also direct by order in writing the closure of any saw-pit or saw-mill within such time as may be prescribed by him and the owner or his agent shall take action accordingly.

Power of entry, search and seizure.

8. (i) The District Forest Officer concerned or any person authorised by him in this behalf may enter or search any place, premises or vehicle (*a*) for the purpose of exercising any of the powers conferred by this order or (*b*) where he has reason to believe that any offence against this Order has been, is being or is about to be committed and he may seize anything which he has reason to believe has been, is being or is about to be used for the commission of any offence against this Order.

(ii) Any person aggrieved by the entry into or search of any place, premises of vehicle or by the seizure of anything under the provisions of clause (i), may, within thirty days of such entry, search of seizure, appeal against the said entry, search of seizure, to the Chief Conservator of Forests in Mysore. The Chief Conservator of Forests in Mysore, after giving an opportunity to the appellant to represent his case and obtaining such other particulars as may be necessary, may either confirm, or pass such orders as he deems fit as regards the propriety of, or justification for, the action taken in the proceedings under appeal.

Power to establish checking stations.

9. (i) The Chief Conservator of Forests may establish checking stations at the borders of the areas specified in the schedule at such places as may be notified by him in the official Gazette;

(ii) A Forest Officer authorised by the District Forest Officer may at such checking stations :—

(*a*) require any person importing, transporting or exporting any timber to give any information or produce any document in his possession with respect thereto;

(*b*) inspect any timber being imported, transported or exported or enter and search any vehicle if he has reason to believe that any timber is being imported, transported or exported by such vehicle; or

(*c*) seize any timber in respect of which he has reason to believe that a contravention of this Order has been committed;

(iii) No person shall refuse to give any information or produce any document lawfully demanded under sub-clause (ii).

Power to direct forfeiture.

10. A Court trying any contravention of this Order may direct that any property in respect of which it is satisfied that the order has been contravened shall be forfeited to Government.

11. Any information required to be furnished or any intimation required to be given or any permission required to be sought under these Rules shall be made in writing in duplicate, and the District Forest Officer or any subordinate officer authorised by him in this behalf shall sign and date the duplicate and return it to the person furnishing the information or giving the intimation or seeking the permission.

SCHEDULE.

The whole of Mysore, Shimoga and Chikmagalur Revenue Districts Belur and Saklespur Taluks of Hassan District and Kankanhalli Taluk of Bangalore District.

No. A. F. 5625—Agri. 227-47-2, dated 4th June 1948.

In exercise of the powers conferred by section 3 of the Mysore Cotton Control Act, 1942 (XII of 1942), the Government of His Highness the Maharaja are pleased to direct as follows :—

(*i*) No person shall use the name "M.A.V." in respect of any cotton except with the approval of Government.

Provided that this clause shall not apply to any cotton carrying a seal or covered by a certificate that it is M.A.V. cotton issued by an officer or authority appointed by Government in this behalf.

(*ii*) No person shall deal in any M.A.V. cotton unless such cotton is covered by a certificate granted by an officer or authority specified in clause (i) that such cotton is M.A.V. cotton.

(*iii*) No person shall mix M.A.V. cotton with any other variety of cotton and no person shall be in possession of any such mixed cotton.

(*iv*) No person shall take or transport outside the areas to which this notification applies or outside Mysore any cotton as M.A.V. cotton unless such cotton is covered by a certificate issued by an officer or authority specified in clause (i), and

(*v*) No person shall sow or cultivate cotton of any variety other than M.A.V. cotton and no cotton seeds other than those supplied by an officer or authority approved by Government in this behalf, shall be used for such sowing.

This notification shall apply to the districts of Chitaldrug, Mandya, Chikmagalur and Mysore and shall remain in force for a period of five years.

MOHAMED ISMAIL SHERIFF, *Genl. Secy.*

No. SD. 10026—Co. 47-47-1, dated Bangalore, 5th June 1948.

In exercise of the powers conferred by sub-rule (2) of Rule 81 of the Defence of India Rules as applied to Mysore and continued by the Supplies, Services and Miscellaneous Provisions (Temporary Powers) Act, 194[illegible], (XX of 1947) and in supersession of Government Order No. C. 308-12, dated 24th October 1944, the Government of His Highness the Maharaja are pleased to make the following order and to direct with reference to sub-rule (1) of Rule 119 of the said Rules that notice of the orders shall be given by the publication of the same in the Official Gazette and by the issue of a Press Note summarising and explaining its provisions:—

1. (*a*) This Order may be called the Cement Rationing Order, 1948.

(*b*) It extends to the whole of Mysore except the retroceded area of the Civil Station, Bangalore.

(*c*) It shall come into force from the date of publication of the notification.

2. In this Order, unless there is anything repugnant in the subject or context,

(*a*) 'Chief Cement Rationing Authority' means the Additional Director of Industries and Commerce and includes any other Gazetted Officer to whom powers may be delegated by the Chief Cement Rationing Authority.

(*b*) 'Cement' means Chamundi Brand cement manufactured by the Mysore Iron and Steel works and includes all other brands of cement imported into Mysore.

(*c*) 'Manufacturer of cement' means any person or company which manufactures cement and whose manufacturing capacity amounts to 10 tons or more per month.